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February 20, 2025

VIA ECF

The Honorable Sidney H. Stein
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Nadine Menendez, (S4) 23-cr-490 (SHS)

Dear Judge Stein:

We represent Defendant Nadine Menendez. We are grateful for the Court's comments during our pretrial conference of yesterday, February 19, 2025. With respect to the government's three pending submissions in support of its motion in limine concerning self-authenticating exhibits, we will not object to self-authentication of the exhibits listed in the government's Exhibit A (Rows 1 to 135), Exhibit B and Exhibit D. Nor will we object to the government's requests for judicial notice concerning the items listed in its Exhibit C, assuming the limiting instruction discussed in the parties' submissions and at yesterday's conference, to the effect that these documents should not be considered for the truth of the matters asserted in them, is contemporaneously administered to the jury when judicial notice is taken of each of them. Further, we reconfirm the following assertion in the government's submission of February 7, 2025 at 3, concerning the FBI certifications and related exhibits referenced in the following excerpt:

However, in the interest of narrowing potential disputes, the Government is exploring whether it is feasible to moot the defendant's objection (meritless although it is) by presenting the evidence without relying on this limited set of FBI certifications, and accordingly requests that the Court defer ruling on that small set of certifications (i.e., Dkt. 715-1 rows 136-42) for the present.

We hope this will assist significantly in streamlining our trial. However, upon re-review of the government's currently sealed "Supplemental Motions In Limine," filed via email on February 15, 2025 and also discussed at yesterday's hearing, we are unable to agree to any substantial part of it. I thought I should let Your Honor know this now, even though our

opposition is not due until noon on Monday, February 24, since this likely will impact on whether the Court schedules another hearing next week.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry Coburn", with a stylized, cursive script.

Barry Coburn